

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ROY L. PERRY-BEY, CARLOS A.)	
HOWARD,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. 1:23-cv-01165-LMB-IDD
)	
)	
Virginia State Board of Elections, Virginia)	
Department of Elections, and DONALD)	
JOHN TRUMP,)	
)	
Defendants,)	
)	
And,)	
)	
REPUBLICAN PARTY OF VIRGINIA,)	
Inc.,)	
)	
Intervenor.)	

**REPUBLICAN PARTY’S RESPONSE IN OPPOSITION TO PLAINTIFFS’
MOTION TO STRIKE**

Proposed Intervenor the Republican Party of Virginia (“Republican Party”) opposes Plaintiffs’ Motion to Strike (ECF No. 71) the Republican Party’s Reply in Support of its Motion to Intervene. (ECF No. 48).

The Plaintiffs’ motion fails to cite any case or authority for their argument, which primarily repeats the arguments made against the Proposed Intervenor in the Plaintiffs’ other filings. *See, e.g.*, Plaintiffs’ Motion to Dismiss Notice of Hearing (ECF No. 62). Without burdening the Court with unnecessary repetition, these arguments fail here as well.

Signatory counsel of record is in fact admitted to this Court. Counsel has attempted to confer with the Plaintiffs, as was documented in the attachment to the Reply (an exhibit the Plaintiffs ignores). The Plaintiffs claim that this representation was materially false while ignoring the documentation provided to substantiate that representation.

Most of the Plaintiffs' "Motion to Strike" is rife with unsubstantiated assertions, such as a bare assertion that counsel for the Virginia Republican Party violated Rule 11. If this Court desires Intervenor address Plaintiffs' unsupported assertions and allegations in more detail, Intervenor stands ready to do so.

Dated: December 14, 2023

Respectfully submitted,

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/s/ Nathan Moelker

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**Not admitted in this jurisdiction; motion for pro hac vice admission forthcoming.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of December, 2023, the foregoing document was electronically transmitted to the Clerk of Court using the ECF System for filing and was transmitted to those individuals receiving Notice of Electronic Filings in this matter.

/s/ Nathan Moelker

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